

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY _____ D.C.

05 OCT -4 PM 1:43

THOMAS L. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TN, JACKSON

Dale Leo and Theresa Leo

Plaintiffs,

v.

WELD WHEEL INDUSTRIES, INC.,
WELD DISTRIBUTION, INC., and
WELD RACING, INC.,

Defendants.

No. 1-05-1130-T/AN

ORDER GRANTING PLAINTIFFS LEAVE TO AMEND COMPLAINT

Wherefore Plaintiffs, Dale and Theresa Leo, come before this Court, by and through counsel, requesting and order pursuant to Rule 15 of the Federal Rules of Civil Procedure for leave to amend their complaint as follows:

1. By adding an additional cause of action titled as follows:

**COUNT V – PRODUCT LIABILITY – VIOLATION OF MAGNUSON-
MOSS WARRANTY ACT – 15 U.S.C.S. § 2301**

2. By adding an additional paragraph numbered 43, as follows:

Paragraphs 1 though 42 are incorporated by reference.

3. By adding an additional paragraph numbered 44 as follows:

By reason of the foregoing Plaintiff, Dale Leo, is entitled to recover his damages proximately resulting from Defendants' breach of implied warranties of merchantability, implied warranties of fitness for a particular purpose, and express warranties.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiffs shall be allowed to amend their complaint as stated.

S. Thomas Corder
JUDGE

DATE: October 03, 2005

SUBMITTED FOR ENTRY:

WALDROP & HALL, P.A.

[Signature]

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*with permission
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Honorable James Todd
US DISTRICT COURT